EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2006-2001-MWD-E **TCEQ ID:** RN101917623

CASE NO.: 31771

Page 1 of 3

RESPONDENT NAME: City of Gregory

ORDER TYPE:		
1660 AGREED ORDER	X FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	EMERGENCY ORDER	
CASE TYPE:		
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
X WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
TYPE OF OPERATION: Wastewater treatment SMALL BUSINESS: Yes X No OTHER SIGNIFICANT MATTERS: There are location. INTERESTED PARTIES: No one other than the COMMENTS RECEIVED: The Texas Register CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: No TCEQ Enforcement Coordinator: Ms. Van Soest, Enforcement Division, MC 2	Merrilee Hupp, Enforcement Division, Enforcement P.19, (512) 239-0468 P. Gomez, Mayor, City of Gregory, P.O. Box 297, G	and State Highway 35, San Patricio anding enforcement actions regarding this facility In this matter. Inments were received.

RESPONDENT NAME: City of Gregory **DOCKET NO.:** 2006-2001-MWD-E

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION

Type of Investigation: ___ Complaint

- X Routine
- ___ Enforcement Follow-up
- Records Review

Date of Complaint Relating to this Case: None

Date of Investigation Relating to this Case: September 20, 2006

Date of NOE Relating to this Case: November 10, 2006 (NOE)

Background Facts: This was a routine investigation. Five violations were documented.

WATER

- 1) Failed to ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained [30 Tex. ADMIN. CODE §§ 305.125(5), 317.3(a), 317.7(e) and Texas Pollutant Discharge Elimination System ("TPDES") No. WQ0010092001, Operational Requirements No. 1].
- 2) Failed to ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained [30 Tex. ADMIN. CODE §§ 305.125(5), 317.4(b)(4), and TPDES No. WQ0010092001, Operational Requirements No. 1].
- 3) Failed to properly calibrate the pH meter for the samples analyzed and failed to perform a manganese correction on chlorine residual samples [30 Tex. ADMIN. CODE §§ 319.6, 319.9(c), and 319.11(c), and TPDES Permit No. WQ0010092001, Monitoring and Reporting Requirements, No. 2].
- 4) Failed to comply with minimum permitted effluent limitations of 4.0 milligrams per liter ("mg/L") dissolved oxygen ("DO"), 6.0 pH, and 1.0 mg/L chlorine residual [30 Tex. ADMIN. CODE § 305.125(1), Tex. WATER CODE § 26.121, and TPDES Permit No. WQ0010092001, Final Effluent Limitations and Monitoring Requirements Nos. 2, 3, and 6].

PENALTY CONSIDERATIONS

Total Assessed: \$12,250

Total Deferred: \$0

Expedited Settlement

Financial Inability to Pay

SEP Conditional Offset: \$0

Total Paid (Due) to General Revenue: \$2,045 (the remaining \$10,205 to be paid in 5 monthly payments of \$2,041 each)

Site Compliance History Classification High X Average Poor

Person Compliance History Classification
High X Average Poor

Major Source: Yes X No

Applicable Penalty Policy: September 2002

Findings Orders Justification: The Respondent has three repeated enforcement actions with the same violations over the prior five year period.

CORRECTIVE ACTIONS TAKEN/REQUIRED A REAL

Corrective Actions Taken:

- 1) The Executive Director recognizes that by November 30, 2006, the City has implemented the following corrective measures at the Facility:
- a. Began utilizing new plastic containers with lids for the disposal of the screenings from the bar screen and clarifier;
- b. Began checking chlorine residuals every three hours, increased the monitoring of the influent pH, and had reinstalled the rotor which had been repaired;
- c. Repaired the pinhole leak in the V-notch weir and repaired the fence surrounding the Facility;
- d. Returned to a regular schedule of drawing sludge every seven to ten days to improve the solids levels and quality at the Facility; and
- e. Began properly calibrating the pH meter for the samples and began performing a manganese correction on chlorine residual samples.

Ordering Provisions:

- 2) The Order will require the Respondent to:
- a. Within 60 days after the effective date of this Agreed Order, ensure that lift stations and treatment units at the Facility are properly operated and maintained, which shall include installing and maintaining intact and intruder resistent fencing around each lift station. cleaning and maintaining all weirs to ensure optimal functioning and even flow, and maintaining Facility grounds, disposing of waste at authorized sites so that each treatment unit is within view and easily accessible at all times to authorized personnel only. A daily log book documenting operations and maintenance activities shall be maintained for a period of three (3) years and shall be made available to TCEQ staff upon request;
- b. Within 60 days, after the effective date of this Agreed Order, develop and implement a program to check each lift station to prevent petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin as well as other pollutants from being introduced into the

RESPONDENT NAME: City of Gregory **DOCKET NO.:** 2006-2001-MWD-E

treatment facility. The program shall also include descriptions of corrective actions to be taken if such pollutants have entered any of the lift stations, including proper handling procedures and disposal methods. This description shall include how the oil-contaminated wastewater was removed and disposed of from the collection system at the Fab-Con Lift Station and how the oily residue was removed from the interior of the lift station wet well to prevent Interference or Pass Through. Documentation of the program's implementation shall be maintained at the Facility and shall be made available to TCEQ staff upon request;

- c. Within 60 days after the effective date of this Agreed Order, return to compliance with the effluent limits of TPDES Permit No. WQ0010092001; and
- d. Within 75 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a, b, and c.

Policy Revision 2 (Sep	Penalty Calculatio	n Worksheet (P	CW) PCW Revision Nov	rember 17, 2006
TCEQ	T. C.			
DATES Assigned PCW		EPA Due		
RESPONDENT/FACILITY	INFORMATION			
Respondent	City of Gregory			
Reg. Ent. Ref. No.			la contra de la cont	
Facility/Site Region	14-Corpus Christi	Major/Minor Source	Minor	
CASE INFORMATION			· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·
Enf./Case ID No.	31771	No. of Violations	15	
	2006-2001-MWD-E	Order Type		<u> </u>
Media Program(s)		Enf. Coordinator		***
Multi-Media			EnforcementTeam 1	
Admin. Penalty \$ I	Limit Minimum \$0 Maximum	\$10,000		
	Penalty Calcula	ation Section	e e	
TOTAL BASE PENAL	.TY (Sum of violation base penaltic	es)	Subtotal 1	\$5,000
ADJUSTMENTS (+/-) Subtotals 2-7 are obtai	TO SUBTOTAL 1 ned by multiplying the Total Base Penalty (Subtotal 1) by	the indicated percentage		
Compliance Histo			otals 2, 3, & 7	\$7,250
	Respondent self-reported 22 effluent	violations, received two]	Ψ1,200
Notes	Commission-issued NOVs for same or s	imilar violations, and was		
	issued a Findings O		,	
Culpability	No 0%	Enhancement	Subtotal 4	\$0
Notes	Respondent does not meet the o	vulnahility aritaria	,	
inoles	rvespondent does not meet the c	sulpability chiena.		
0.25 117 111 1111	A A POLICE AND THE RESERVE AND THE PROPERTY OF	with the first terminal and the second	I no engo mayamanan wa sa I marana	
Good Faith Effor	t to Comply 0% Before NOV NOV to EDPRP/Settlement Offer	Reduction	Subtotal 5	. \$0
Extraordinary	Beide NOV NOV to EDFRF/Settlefite it Offer			
Ordinary				
N/A	X (mark with x)			· ·
Natas	The Decreeded decree 4	t-M N1-		
Notes	The Respondent does not meet the	e good faith criteria.	*	
	The state of the s	The state of the s		
		Enhancement*	Subtotal 6	\$0
Approx.	Total EB Amounts \$1,072 *Capped Cost of Compliance \$10,400	I at the Total EB \$ Amount		·
SUM OF SUBTOTAL	S 1-7 () - [-] - [-] - [-] - [-] - [-] - [-] - [-] - [-] - [-] - [-] - [-] - [-] - [r de la companya de	Final Subtotal	\$12,250
				1000
OTHER FACTORS AS	S JUSTICE MAY REQUIRE	0%	Adjustment	\$0
Reduces or enhances the Final S	ubtotal by the indicated percentage. (Enter number only	/; e.g30 for -30%.)	1	
Notes				laprocondition
110103				
		Final Per	nalty Amount	\$12,250
		i mai i ci	any Amount	Ψ12,200
STATUTORY LIMIT A	DJUSTMENT	Final Asse	essed Penalty	\$12,250
DEFERRAL	and the control of the state of	0% Reduction	Adiustmant	\$0
	alty by the indicted percentage. (Enter number only; e.g		Adjustment	ΨU
Notes	No deferral is recommended for	Findings Orders.		
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			• • • • • • • • • • • • • • • • • • • •	
PAYABLE PENALTY				\$12,250

Screening Date 21-Nov-2006

Docket No. 2006-2001-MWD-E

PCW

Policy Revision 2 (September 2002) PCW Revision November 17, 2006

Respondent City of Gregory
Case ID No. 31771
Reg. Ent. Reference No. RN101917623
Media [Statute] Water Quality
Enf. Coordinator Merrilee Hupp

Compliance History Worksheet

Γ		Written NOVs with same or similar violations as those in the current enforcement action	24	120%	1
.	NOVs	(number of NOVs meeting criteria)			,
Į		Other written NOVs	0	0%,	
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%	
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		25%	
	Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0 %	0%	
	and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%	
1	Convictions	Any criminal convictions of this state or the federal government (number of counts)	Ö	0%]
	Emissions	Chronic excessive emissions events (number of events)	0	0%	-
	A., 2011.	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%	
	Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	Ó	0%	
١		Plea	se Enter Yes or No		-
	eterlitiga e a Marco (1900) D	Environmental management systems in place for one year or more	No	0%	
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
	Other	Participation in a voluntary pollution reduction program	, No	0%]
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No No	0%	
		Adjustment F	Percentage (S	ubtotal 2)	1.
epea	at Violator (Su	ibtotal 3)		down .	
	, No	Adjustment P	Percentage (S	ubtotal 3)	
mp	liance Histor	y Person Classification (Subtotal 7)	A State of the second		
	Average P	Performer Adjustment I	Percentage (S	ubtotal 7)	
omp	The same of the same of the same of	y Summary	- 1.1. gash	sti	
	Compliance History Notes	Respondent self-reported 22 effluent violations, received two Commission-Issued NOVs for violations, and was Issued a Findings Order.	same or similar		t _e x Tr
		Total Adjustment Percentage			

S	creening Date	21-Nov-2006		Do	cket No.	2006-200	1-MWD-E		4,	PCW
	Respondent	City of Gregory	,					Policy Re	vision 2 (Septer	mber 2002)
	Case ID No.	31771						PCW Re	vision Novembe	er 17, 2006
_	Reference No.									
	ledia [Statute]					•				
	f. Coordinator									
	/iolation Number									
	Rule Cite(s)	30 Tex.		de §§ 305.125(092001, Opera				No.		
Viola	ation Description	disposal are pr station was not	operly oper intruder-resoletely fence	sistant with a co ed by an eight-f rth side of the f	ained. Spe ontrolled ac oot fence v	ecifically, th ccess. Add vith barbed locumented	e housing a itionally, the wire and the	uthority lift plant area e existing		
							Ва	se Penalty		\$10,000
>> Environmer	ntal, Property a	and Human H	ealth Mat Harm	rix	Salas de la casa	Anadiside at	- A Salas			
	Release	Major	Moderate	Minor						
OR	Actual						,			
	Potential		X			Percent	10%			
>>Programmat	tic Matrix	and Commission of the				N.		•		
	Falsification	Major	Moderate	Minor	ADS STOLEN SE SARED BY REA AND STOLEN	SU		_		
Sequence College						Percent	0%		•	
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						•		Γ		\$1,00
Violation Even	its			Philippe Colle		PERMIT COM	95 (197) 26 			
	Number of Vi	olation Events	1		62	Number	f violation d	ays		
		daily	1							
		monthly								
. •	mark only one	quarterly	x		•		/iolation Ba	se Penalty		\$1,00
	with an x	semiannual						•		
		annual								
		single event								
	One qua	rterly event is red	commended	I from the inves	stigation da	te, Septem	ber 20, 2006	5, to the		
				g date, Novem						
Economic Ben	nefit (EB) for th	nis violation				Statuto	ry Limit T	est		
	Estimate	d EB Amount		\$793		Violat	ion Final Pe	enalty Total	***************************************	\$2,45
		- 								
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Economic Benefit Worksheet Respondent City of Gregory Case ID No. 31771 Reg. Ent. Reference No. RN101917623 Media Water Quality Years of Percent Interest Depreciation Violation No. 1 5.0 15 Item Cost **Date Required** Interest Saved Onetime Costs : EB Amount Item Description No commas or \$ **Delayed Costs** 0,0 Equipment Buildings 0.0 2.3 0.0 0.0 0.0 :\$0 \$755 Other (as needed) Engineering/construction \$38 \$793 Land n/a Record Keeping System n/a Training/Sampling n/a Remediation/Disposal 0,0 n/a Permit Costs 0,0 n/a 0.0 Other (as needed) n/a Cost is estimate for fence around one lift station as well as upgrading the fence surrounding the entire facility. Date required is when insufficient fencing was first documented. Final date is when compliance is expected to be Notes for DELAYED costs achieved. ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) **Avoided Costs** Disposal 0.0 0,0 Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] 0.0 ONE-TIME avoided costs [3] 0.0 Other (as needed) Notes for AVOIDED costs \$5,000 \$793 Approx. Cost of Compliance

PCW	ing Date 21-Nov-2006 Docket No. 2006-2001-MWD-E	
sion 2 (September 2002)		
ísion November 17, 2006		
	ence No. RN101917623	eg. I
	[Statute] Water Quality ordinator Merrilee Hupp	
	on Number 2	
	ule Cite(s) 30 Tex. Admin. Code §§ 305.125(5), 317.4(b)(4) and TPDES No. WQ0010092001,	
	Operational Requirements No. 1	
	Failed to ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, screenings from the bar screen and clarifier were placed in a container without a lid, clarifier effluent weirs were	
	not level or cleaned to prevent obstruction or uneven flow, partially treated wastewater was allowed to remain in the off-line clarifier, the V-notch weir had a rust hole which was allowing flow to bypass its measurement, sludge was rising/bulking in the clarifier indicating its poor quality, and the Facility grounds had abandoned vehicles, large brush piles, and overgrown grass.	
\$10,000	Base Penalty	
	roperty and Human Health Matrix	/iro
-	Harm Release Major Moderate Minor	
- Control of the Cont	Actual	
-	Potential X Percent 5%	
		gran
	alsification Major Moderate Minor	yıaı
,	Percent 0%	5 E F
Valuation to 11111		
	mproperly maintained or operated treatment facilities may result in human health or the environment eing exposed to an insigificant amount of pollutants which would not exceed levels that are protective	
	of human health or environmental receptors as a result of the violations.	
		ula.
	Adjustment \$9,500	
\$500	· · · · · · · · · · · · · · · · · · ·	
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	umber of Violation Events 1 62 Number of violation days	
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-	daily	
ф.F.0.0	monthly	
\$500	mark only one quarterly Violation Base Penalty vih an x semiannual	
1	annual	
	single event x	
	One single event is recommended based upon the September 20, 2006 investigation date.	
	EB) for this violation Statutory Limit Test	omic
\$1,225	Estimated EB Amount \$185 Violation Final Penalty Total	
\$1,225	This violation Final Assessed Penalty (adjusted for limits)	

Economic Benefit Worksheet Respondent City of Gregory Case ID No. 31771 Reg. Ent. Reference No. RN101917623 Years of Media Water Quality Percent Interest Depreciation Violation No. 2 Interest Saved Onetime Costs EB Amount Item Cost **Date Required Final Date** Item Description No commas or \$ (6)5% - 10% **Delayed Costs** \$5 \$0 \$0 \$171 \$400 20-Sep-2006 30-Nov-2006 Bulldings 0,0 0.7 Other (as needed) \$180 \$3,500 20-Sep-2006 15-Jun-2007 Engineering/construction 0.0 n/a Record Keeping System 0.0 n/a 0.0 \$0 \$0 Training/Sampling n/a 0.0 Remediation/Disposal n/a Permit Costs n/a 0.0 Other (as needed) n/a Cost is estimate for additional equipment, repairs, and labor necessary to properly maintain and operate the wastewater treatment units at the facility, including keeping screenings in a covered container, improving the accuracy of flow measuring devices, and achieving optimal levels of solids throughout the plant. Date required is Notes for DELAYED costs the date poor maintenance items were documented and the final date is when compliance was achieved (obtaining covered containers for screenings and installing a new plate on the V-notch welr) or is expected to be achieved. ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) **Avoided Costs** Disposal 0.0 Personnel 0.0 0.0 \$0 Inspection/Reporting/Sampling 0.0 Supplies/equipment 0,0 Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) Notes for AVOIDED costs \$3,900 TOTAL \$185 Approx. Cost of Compliance

Respondent City of Gragery Case ID No. 3171 Reg. Ent. Reference No. RN101917623 Media [Statute] Water Quality Enf. Coordinator Merillae Hupp Violation Number 3 Rule Cite(s) Violation Description Failed to properly calibrate the pH meter for the samples analyzed and failed to perform a manganese correction on chlorine residual samples. Programmatic Matrix Programmatic Matrix Programmatic Matrix Notes Incorrect calibration or analysis may result in unknown effluent excursions and a release of an insignificant amount of pollutaris which would not escaled levels that are protective of human health or environmental receptors as a result of the violations. Violation Events Number of Violation Events Number of Violation Events One single event is recommended. Economic Benefit (EB) for this violation Statutory Limit Tost. Estimated EB Amount S8 Violation Final Assessed Penalty (adjusted for limits) 51.225 This violation Final Assessed Penalty (adjusted for limits) 51.225 This violation Final Assessed Penalty (adjusted for limits) 51.225	Screening Dat	e 21-Nov-2006		Docke	et No. 2006-2001-MWD-E	***************************************	PCW
Reg. Ent. Reference No. RN101917823 Media [Statute] Water Quality						Policy Revis	ion 2 (September 2002)
Media [Statuto] Water Quality Enf. Coordinator Merrilee Hupp Violation Number Rule Cite(s) 3 Tex. Admin. Code \$\$ 319.6, 319.9(c), and 319.11(c) and TPDES Permit No. 3 W00010092001, Monitoring and Reporting Requirements, No. 2 Violation Description Failed to properly calibrate the pH meter for the samples analyzed and failed to perform a manganese correction on chlorine residual samples. Base Penalty \$10,000 **Percent						PCW Revi	sion November 17, 2006
Enf. Coordinator Merrice Hupp Violation Number 3 Rule Cite(s) So Tex. Admin. Code §§ 319.6, 319.9(c), and 319.11(c) and TPDES Permit No. W0001092201, Monitoring and Reporting Requirements, No. 2 Violation Description Failed to property calibrate the pri meter for the samples analyzed and failed to perform a manganese correction on chlorine residual samples. Base Penalty \$10,000 Base Penalty \$10,000 So Environmental, Property and Human Health Matrix Harm OR Release Major Moderate Minor Percent 5% Programmatic Matrix Faisification Major Moderate Minor Percent 0% Notes Incorrect calibration or analysis may result in unknown effluent excursions and a release of an inalgnificant amount of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violations. Violation Events Number of Violation Events Number of Violation Events One single event is recommended. Cone single event is recommended. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$8 Violation Final Penalty Total \$1,225	· — — — — — — — — — — — — — — — — — — —						
Violation Number Rule Cite(s) 30 Tex. Admin. Code §§ 319.6, 319.9(c), and 319.11(c) and TPDES Permit No. WC0010092001, Monitoring and Reporting Requirements, No. 2 Violation Description Failed to properly calibrate the pH meter for the samples analyzed and failed to perform a manganese correction on chlorine residual samples. Base Penalty \$10,000 **Percent Office Company and Human Health Matrix* Harm Release Major Moderate Minor Potential X Percent 5% **Programmatic Matrix Falsification Major Moderate Minor Percent Office Company and Percent Offic							
Violation Description Failed to properly calibrate the p+ meler for the samples analyzed and failed to perform a manganese correction on chlorine residual samples. Palled to properly calibrate the p+ meler for the samples analyzed and failed to perform a manganese correction on chlorine residual samples. Palled to properly calibrate the p+ meler for the samples analyzed and failed to perform a manganese correction on chlorine residual samples. Palled to properly calibrate the p+ meler for the samples analyzed and failed to perform a manganese correction on chlorine residual samples. Palled to properly calibrate the p+ meler for the samples analyzed and failed to perform a manganese correction on chlorine residual samples. Palled to properly calibrate the p+ meler for the samples analyzed and failed to perform a manganese correction on chlorine residual samples. Palled to properly calibrate the p+ meler for the samples analyzed and failed to perform a manganese correction on chlorine residual samples. Percent							
Violation Description Failed to properly calibrate the pH meter for the samples analyzed and failed to perform a manganese correction on chlorine residual samples. Base Penalty \$10,000 **Servironmental, Property and Human Health Matrix* Harm Release Major Moderate Minor		IL					
Violation Description Failed to properly calibrate the pH meter for the samples analyzed and failed to perform a manganese correction on chlorine residual samples. Base Penalty \$10,000	Rule Cite(s					No.	
Seconomic Benefit (EB) for this violation Release Major Moderate Minor Actual Potential X Percent 5% Number of Violation Events One single event is recommended. Percent 5% Number of Violation Events One single event is recommended. Statutory Limit Test Estimated EB Amount Support Significant Penalty Total \$1,225	Violation Descriptio	Foiled to prope	erly calibrate th	ne pH meter for the	samples analyzed and failed to	perform	
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OR Release Major Moderate Minor Actual Potential X Percent 55% >> Programmatic Matrix Falsification Major Moderate Minor Percent 0% Matrix Notes Incorrect calibration or analysis may result in unknown effluent excursions and a release of an insignificant amount of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violations. Violation Events	> Environmental, Property	and Human H	ealth Matri	×			
OR Actual Potential X Percent 5% >> Programmatic Matrix Falsification Major Moderate Minor Percent 0% Matrix Notes Incorrect calibration or analysis may result in unknown effluent excursions and a release of an insignificant amount of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violations. Adjustment \$9,500	Significant of the second of t	211-3-144-800-90-71189-01-4-23-6-23-7-98828	eurus neuroses un eur Le Pillo Antine vident un est	######################################			
Programmatic Matrix Falsification Major Moderate Minor Falsification One Insignificant amount of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violations. Adjustment \$9,500 \$500 Violation Events Number of Violation Events Adjustment \$9,500			Moderate	Minor			
Programmatic Matrix Falsification Major Moderate Minor Falsification Percent 0% Matrix Notes Adjustment \$9,500 \$500 Violation Events Number of Violation Events 1 286 Number of violation days daily monthly quarterly with an x semiannual annual single event x One single event is recommended. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$8 Violation Final Penalty Total \$1,225							
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Matrix Notes Incorrect calibration or analysis may result in unknown effluent excursions and a release of an insignificant amount of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violations. Adjustment \$9,500 Violation Events Number of Violation Events 1 286 Number of violation days daily monthly quarterly semiannual annual single event x One single event is recommended. Economic Benefit (EB) for this violation Estimated EB Amount \$8 Violation Final Penalty Total \$1,225	Falsification	n Major	Moderate	Minor			
Notes Insignificant amount of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violations. Adjustment					Percent 0%		
\$500 Violation Events 1 286 Number of violation days	insignifican	t amount of polluta	ants which wo	uld not exceed leve	els that are protective of human of the violations.	health or	
Number of Violation Events Number of Violation Events	19.00 p. 1990 - Display 1992 (1994) (1995) (1995) (1995) (1995) (1995) (1995) (1995) (1995) (1995) (1995) (1995)	are constitute e data curtino e e e e					\$500
Number of Violation Events 1 286 Number of violation days daily monthly monthly quarterly semiannual annual single event x One single event is recommended. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$8 Violation Final Penalty Total \$1,225					•	Ļ	φουυ
daily monthly quarterly semiannual annual single event x One single event is recommended. Conomic Benefit (EB) for this violation Estimated EB Amount \$8 Violation Final Penalty Total \$1,225	/iolation Events	ri seri erge generalekter erreken allaker. Bal sakklesakon kalendarakeri elektris		dres seeds POBelens utervie	er men kan di Angli menggung banggan kan di ang		
daily monthly quarterly semiannual annual single event x One single event is recommended. Conomic Benefit (EB) for this violation Estimated EB Amount \$8 Violation Final Penalty Total \$1,225	N	(inlation Frants				Notes a proper a construction of the const	
mark only one with an x mark only one with an x monthly quarterly semiannual annual single event x One single event is recommended. Consumer of the continuation Statutory Limit Test Statutory Limit Test	Number of V	noiation Events		<u> </u>	86 Number of Violation day	S	
mark only one with an x Mark only one with an x Semiannual annual single event x		daily	1				
with an x semiannual annual single event x One single event is recommended. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$8 Violation Final Penalty Total \$1,225							
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$8 Violation Final Penalty Total \$1,225	•	semiannual annual	X		Violation Base	Penalty	\$500
Economic Benefit (EB) for this violation Estimated EB Amount \$8 Violation Final Penalty Total \$1,225							
Estimated EB Amount \$8 Violation Final Penalty Total \$1,225			One singl	le event is recomm	ended.		
	Economic Benefit (EB) for t	this violation			Statutory Limit Tes	e e	
This visited as Provided for the Market College of the Market Coll	Estimat	ted EB Amount		\$81	Violation Final Bons	lty Total	
		leave.			Violation Final Fena	iity i Otai	\$1,225

Case ID No.	City of Gregory 31771				ji T		
Reg, Ent. Reference No. Media	RN101917623 Water Quality				v ^k	Percent Interest	Years of
Violation No.	. 3	The state of the s			The second second to the		Depreciation
					with a	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$			l auth		e in congram	Ж
Delayed Costs	a manggapa kalbu n		A restrict to be designed by the control of the con	National Control	recover contra	100 SEC 100 SE	ulare a
Equipment			Service Differential Services	0.0	\$0	\$0	\$0
Buildings	11.000.000	ing and the state of the state	e proposition de la companya de la c La companya de la co	0.0	\$0	\$0	\$0
Other (as needed)	27.7(2)(47.44)	Strategic Control	ray south party surrous	0,0	\$0	\$0 }	\$0
Engineering/construction			and the second second	0,0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	Carrie territoria	A CONTRACTOR OF THE STATE OF THE STATE OF		0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal	delicerate a graph of		<u> </u>	0,0	\$0	n/a	\$0
Permit Costs				0.0	\$0 \$8	n/a n/a	\$0 \$8
Other (as needed)	\$200	<u>8-Feb-2006</u>	30-Nov-2006	0.8_	1 40	l IVa	Ф О.
	Cost is estima	te for the additiona	l labor and chemi	cals requ	ulred to assure the	correct calibration	of the pH meter
Notes for DELAYED costs Avoided Costs	and analys	sis of chlorine resid unresolved violation	ual. The date rec on, and the final d	uired is ate is wh	the date of a lette nen compliance wa item (except for	r notifying the response as actually achieved one-time avoided o	ndent of the · costs)
Avoided Costs	and analys	sis of chlorine resid unresolved violation	ual. The date rec on, and the final d	uired is ate is wh	the date of a lette nen compliance wa	r notifying the respon as actually achieved	ndent of the
Avoided Costs Disposal Personnel	and analys	sis of chlorine resid unresolved violation	ual. The date rec on, and the final d	ulred is ate is wh ntering 0.0	the date of a lette nen compliance wi item (except for \$0	r notifying the response as actually achieved one-time avoided of \$0	costs)
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	and analys	sis of chlorine resid unresolved violation	ual. The date rec on, and the final d	ulred is ate is when the intering 0.0 0.0	the date of a lette nen compliance wi item (except for \$0 \$0	r notifying the responses actually achieved one-time avoided of \$0 \$0	costs)
Avoided Costs Disposal Personnei	and analys	sis of chlorine resid unresolved violation	ual. The date rec on, and the final d	ulred is ate is when the intering 0.0 0.0 0.0	the date of a lettenen compliance with tem (except for \$0 \$0 \$0	r notifying the response actually achieved one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0	costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	and analys	sis of chlorine resid unresolved violation	ual. The date rec on, and the final d	nuired is ate is where is where is where in the intering is a second in the interior in the in	the date of a lette en compliance will item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r notifying the response actually achieved one-time avoided one-time avoid	So
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	and analys	sis of chlorine resid unresolved violation	ual. The date rec on, and the final d	ulred is wreate is wreate is wreate is wreatering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	the date of a lette en compliance wi item (except for \$0 \$0 \$0 \$0	r notifying the response actually achieved one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0	costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	and analys	sis of chlorine resid unresolved violatic UALIZE [1] avoide	ual. The date rec on, and the final d	ulred is ate is when the intering 0.0	the date of a lette en compliance will item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r notifying the response actually achieved one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	So

	Scre	ening Date	21-Nov-2006		Dock	cet No. 2006-2001	I-MWD-E	PCW
	R	espondent	City of Grego	ory			Policy Re	vision 2 (September 2002)
		Case ID No.	31771				PCW Re	evision November 17, 2006
Rea.	Ent. Ref	erence No.	RN10191762	3	•			
		ia [Statute]						
		coordinator						7
		ation Number		il D				
	VIOI			n Code C 20E	105(1) Toy Water	r Codo S 26 121 or	A TODEC Dormit No.	200
		Rule Cite(S)					nd TPDES Permit No. iirements Nos. 2, 3,	THE STATE OF THE S
			11 000	2001, I mai En	and 6		incinenta 1403, 2, 0,	00.000.000 TO
-			E-11-11					
			(mg/L) dissol	lved oxygen (D	O), 6.0 pH, and 1.0	mg/L chlorine resi	0 milligrams per liter dual, recording in the	·
	Violatio	n Description					five consecutive days 06 (the lowest pH of	0000
							b sample revealed a	7770
						during the investiga		
					September 20	0, 2006.		ode comments
							Base Penalty	\$10,000
POSTERNARMA CORPORATE ER	reminas menses	anaconomico en escaperario.	non the fall of the case of the case as	erencisci palatego nanagego di	ogulados nacionos reconocides "enclosede			
>> Enviro	nmental	, Property a	ind Human	Health Mati	rix		The Magazine and	**
G2000, 11 14 15 15 15		Dalassa	Mai	Harm	h 45	•		
an OD		Release	Major	Moderate	Minor			
OR		Actual			X		100/1	***************************************
		Potential	L			Percent	10%	-
	saeltas (1466)					\$\$10,7463°)		00000
>>Progra	mmatic			elia di soprino				WIND WIND
		Falsification	Major	Moderate	Minor	Davasut	00/1	
es Balbara si		L	L	<u> </u>		Percent	0%	· · · · ·
And province								
	Matrix	11				o an insignificant ar		
Constitution of	Notes	which do n	ot exceed lev		sult of the violations	ealth or environme	ntai receptors as a	a processor and the processor
				10.	suit of the violations	3,		
england, som en er nært	oneres de c	31636.03256.3257.1				Adjustmen	\$9,000	
			Call College State (1992)	SESSESSE STATESTIC	TO MICHOLOGICAL PROPERTY.	Aujustinen	Ψ3,000	-
							. [\$1,000
							L.	
Violation	Events	THE HIBBERT				PARTIES NOT THE	SERVICE CERTIFICATION	
	S20045.506-4.0 G.Vi4 19 (2017)41	MARK TSCHOOL 12. ARE 12. 12. 12. 12. 12. 12. 12. 12. 12. 12.		TOTAL AND THE SECOND A STATE OF THE SECOND STATE	00C.00.10.110.000.0010.00100.005.1005.000		TORONO CON ARREST TATAL I SERVICE TA CALLANDO CONTRACTOR DE CONTRACTOR D	
an' d'y gallen million		Number of Vio	olation Events	2		10 Number o	f violation days	
ADD				1	Control			
			daily				•	
0.00			monthly					
100,000		mark only one	quarterly	X		Vid	olation Base Penalty	\$2,000
		with an x	semiannual					
ALCO COLUMN			annual					
obia and out of the			single event					Augusta August
Salah ota garan		-						
Barrer of the second of the se								
				Two quarte	rly events are reco	mmended.		
-								A CONTRACTOR OF THE CONTRACTOR
<u></u>	<u> </u>							
Economic	c Benefi	t (EB) for th	is violation	1	en e	Statuto	ry Limit Test	
		Fetimato	d EB Amount	· [\$32	Violatio	n Final Penalty Total	\$4,900
Act and the second		Lamate	a ED WIIIOUIII	- L	Ψ02]	Violatio	Charty Total	ψ1,500
The same of the sa				Th	nis violation Final	Assessed Penalty	(adjusted for limits)	\$4,900
			and state of the s		<i>2</i> .			

Case ID No.							
Reg. Ent. Reference No. Media	RN101917623 Water Quality					B	Years of
Violation No.						Percent Interest	Depreciation
· Dendocations		a production of the second		Ter. 14	and experiences	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description		militar significance (see	entropy and the		rango (rango) and s Secondary (rango)		
Delayed Costs		destallación (e.d.)		my i v Lista sista sella	Japan Ja	1987 - Harris II.	
Equipment	Company of the Compan	ac whales a List	HEROTE STATE OF THE STATE OF TH	0.0	\$0	\$0	\$0
Buildings	STATE OF THE			0.0	\$0	\$0	\$0
Other (as needed)	The branch county			0.0	\$0	\$0	\$0
Engineering/construction	par of the control of			0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	معنست سيانيا			0.0	\$0	n/a	\$0
Training/Sampling	24 TO 10			0,0	\$0	n/a	\$0
Remediation/Disposal	I training to be a second		The second second	0,0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)						n/a eased monitoring of the	
Other (as needed) Notes for DELAYED costs	Cost Is an e	stimate for the labo he cause of the effl	or and laboratory c uent excursions.	osts ass The date	sociated with incre e required was the n compliance with	Transfer of the Control of the Contr	the effluent or ns documented
	Cost is an expression of the during the investigation of the control of the control of the cost of the	stimate for the labo he cause of the effl stigation described	or and laboratory c uent excursions. I and the final date	costs ass The date is wher achieve	sociated with incre e required was the n compliance with ed.	eased monitoring of t first of the excursio effluent limitations is	the effluent or ns documented s expected to be
Notes for DELAYED costs	Cost is an expression of the during the investigation of the control of the control of the cost of the	stimate for the labo he cause of the effl stigation described	or and laboratory c uent excursions. I and the final date	costs ass The date is wher achieve	sociated with incre e required was the n compliance with ed.	eased monitoring of the first of the excursion effluent limitations is one-time avoided of \$0	the effluent or ns documented s expected to be costs)
Notes for DELAYED costs Avoided Costs	Cost is an expression of the during the investigation of the control of the control of the cost of the	stimate for the labo he cause of the effl stigation described	or and laboratory c uent excursions. I and the final date	costs ass The date is wher achieve entering	sociated with Incre e required was the n compliance with ed. item (except for \$0 \$0	eased monitoring of the first of the excursion effluent limitations is cone-time avoided to \$0 \$0 \$0	the effluent or ns documented s expected to be costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal	Cost is an expression of the during the investigation of the control of the control of the cost of the	stimate for the labo he cause of the effl stigation described	or and laboratory c uent excursions. I and the final date	costs ass The date is where achieve entering 0,0 0,0	sociated with Incree required was the n compliance with sd, item (except for \$0 \$0 \$0	eased monitoring of the first of the excursion effluent limitations is one-time avoided to \$0 \$0 \$0 \$0 \$0	the effluent or ns documented s expected to be costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	Cost is an expression of the during the investigation of the control of the control of the cost of the	stimate for the labo he cause of the effl stigation described	or and laboratory c uent excursions. I and the final date	costs ass The date is where achieve entering 0.0 0.0 0.0	sociated with Incre e required was the n compliance with ad, item (except for \$0 \$0 \$0 \$0	eased monitoring of the first of the excursion effluent limitations is cone-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	the effluent or ns documented s expected to be costs) \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Cost is an expression of the during the investigation of the control of the control of the cost of the	stimate for the labo he cause of the effl stigation described	or and laboratory c uent excursions. I and the final date	costs ass The date is where achieve entering 0.0 0.0 0.0 0.0	sociated with Incree required was the n compliance with sid. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	eased monitoring of the first of the excursion effluent limitations is cone-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	the effluent or ns documented s expected to be costs) \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Cost is an expression of the during the investigation of the control of the control of the cost of the	stimate for the labo he cause of the effl stigation described	or and laboratory c uent excursions. I and the final date	costs ass The date is wher achieve entering 0.0 0.0 0.0 0.0 0.0	sociated with Incre e required was the n compliance with ed. item (except for \$0 \$0 \$0 \$0 \$0 \$0	eased monitoring of the first of the excursion of the exc	the effluent or ns documented s expected to be costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Cost is an expression of the during the investigation of the control of the control of the cost of the	stimate for the labo he cause of the effl stigation described	or and laboratory c uent excursions. I and the final date	costs ass The date is where achieve entering 0.0 0.0 0.0 0.0	sociated with Incree required was the n compliance with sid. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	eased monitoring of the first of the excursion effluent limitations is cone-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	the effluent or ns documented s expected to be costs) \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Cost is an expression of the during the investigation of the control of the control of the cost of the	stimate for the labo he cause of the effl stigation described	or and laboratory c uent excursions. I and the final date	costs ass The date is wher achieve entering 0.0 0.0 0.0 0.0 0.0	sociated with Incre e required was the n compliance with ed. item (except for \$0 \$0 \$0 \$0 \$0 \$0	eased monitoring of the first of the excursion of the exc	the effluent or ns documented s expected to be costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Cost is an expression of the during the investigation of the control of the control of the cost of the	stimate for the labo he cause of the effl stigation described	or and laboratory c uent excursions. I and the final date	costs ass The date is wher achieve entering 0.0 0.0 0.0 0.0 0.0	sociated with Incre e required was the n compliance with ed. item (except for \$0 \$0 \$0 \$0 \$0 \$0	eased monitoring of the first of the excursion of the exc	the effluent or ns documented s expected to be costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Scre	ening Date	21-Nov-2006			Docket No.	2006-2001-MWD-E		PCW
F	Respondent	City of Gregor	ry				Polícy Revi	sion 2 (September 2002)
	Case ID No.	31771					PCW Rev	ision November 17, 2000
Reg. Ent. Re	ference No.	RN10191762	3					
	lia [Statute]					•	•	;
	Coordinator)					
Viol	ation Number						*	
	Rule Cite(s)				,	Permit No. WQ00100 Requirements No. 1.		
Violatio	on Description	origin from to	peing introduc d been discha de was observ	ed into the tre rged into the red coating the	eatment facility collection syst	ting oil, or products . Specifically, a larg em at the Fab-Con I e lift station wet well gation.	e amount of ift station and	
		•					Base Penalty	\$10,000
> Environmenta	l, Property a	ind Human	Health Mat	rix				•
	The second secon		Harm		AS 41 - 20 - 50 - 40 - 40 - 40 - 40 - 40 - 40 - 4	There is a contract of the same of the same		
6 B	Release	Major	Moderate	Minor	71			
OR	Actual					Porcont 10	0%	
	Potential		X			Percent 10	776	
>Programmatic	Matrix				100			
Trogrammado	Falsification	Major	Moderate	Minor				
						Percent (0%	
	<u></u>	/	<u> </u>	1		£		
Matrix Notes	interference health or the	e with the trea environment p	tment capabil possibly being	ities of the wa exposed to s	astewater treat significant amo or environmer	em and wet well cou ment facility, resultir unts of pollutants wh tal receptors as a re	ng in human nich would not	
Anna melapi Salah dalam kecahangan	Sinal Bake akare akili sali		industrial de la company			Adjustment	\$9,000	
								\$1,00
iolation Events		Harman de la companya de la company		4.7	Parties and the second secon	Killi Karamanana	and the specifical	
	Number of Vi	olation Events	1		266	Number of violation	n days	
		■ astr.		îl				
		daily monthly						
	mark only one	quarterly	x			Violation	Base Penalty	\$1,00
	with an x	semiannual						
		annual		-				
		single event		- wareness				
				*				
	One qua	rterly event is			vestigation datember 21, 200	e, September 20, 20 3.	006, to the	
conomic Benef	it (EB) for th	is violation		14 a. 1790 da 1600.	id, atti della sigl	Statutory Limit	Test	
	Estimate	d EB Amount		\$5	3	Violation Final	Penalty Total	\$2,45
								ФС 17
CONTRACTOR OF THE PROPERTY OF	MAN THE THE STATE OF THE SAME	name of the earth agreempers, and to observe the		This violatio	n Final Asses	ssed Penalty (adjus	ted for limits)	\$2,45

eg. Ent. Reference No.	RN101917623 Water Quality				17.31		Years of
Violation No.					g after a co	Percent Interest	Depreciation
Violation No.						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	page processor and the contract of the contrac
Lating of Lating	100 a				م البراي بالبراز الرابع البراي البراز المرابع و		
Item Description	I No commas or ≱	markista karta bar		J14000104	andricks CVK	First New Wast Dates	• • • • • • • • • • • • • • • • • • • •
Delayed Costs	Sanden Seine Car	Company (Company)	laur Haussinlers!		enderingstreet today is in	e a de les en en en en	
Delayed Costs Equipment	24 Te 3 C T T T T T	(Interesses in the second	Desperantes apostos	il 0.0	\$0	\$0	\$0
Buildings	18/3/18/3/2011			0.0	\$0	\$0	\$0
Other (as needed)	Established Av. 1			0.0	\$0	\$0	\$0
Engineering/construction			a de la side de la compe	0.0	\$0	\$0	\$0
Land				0,0	\$0	n/a	\$0
Record Keeping System	And the second second	A Control of the Control		0.0	\$0	n/a	\$0
Training/Sampling	The state of the s	r (filmer) (con		0.0	\$0	n/a	\$0
Remediation/Disposal	\$800	28-Feb-2006	30-Jun-2007	1.3	\$53	n/a	\$53
Permit Costs	The state of the s			0,0	\$0	n/a	\$0
Other (as needed)	Cost is esti	mate for the labor,	chemicals, and dis] <u> 0.0</u> sposal a e violati	.l \$0 associated with the	n/a cleaning of the lift s when cleaning is s	\$0 station. Date
Notes for DELAYED costs	required is v complete wher	vhen respondent be eas the pollutants i	ecame aware of th no longer present	sposal a e violati a threat facility	issociated with the on and final date is to the optimal fund	cleaning of the lift s s when cleaning is e ctioning of the waste	station. Date expected to be ewater treatment
Notes for DELAYED costs Avoided Costs	required is v complete wher	vhen respondent be eas the pollutants i	ecame aware of th no longer present	sposal a e violati a threat facility ntering	associated with the on and final date is to the optimal fund the descept for	cleaning of the lift s s when cleaning is e ctioning of the waste one-time avoided	etation. Date expected to be ewater treatment costs)
Notes for DELAYED costs Avoided Costs Disposal	required is v complete wher	vhen respondent be eas the pollutants i	ecame aware of th no longer present	sposal a e violati a threat facility ntering	associated with the on and final date is to the optimal fund the later (except for \$0	cleaning of the lift is when cleaning is ectioning of the waste one-time avoided in \$60.000 and \$60.0000 and	station. Date expected to be ewater treatment costs)
Notes for DELAYED costs Avoided Costs Disposal Personnel	required is v complete wher	vhen respondent be eas the pollutants i	ecame aware of th no longer present	sposal a e violati a threat facility ntering 0.0 0.0	associated with the on and final date is to the optimal function. item (except for \$0.00	cleaning of the lift s when cleaning is extioning of the waste one-time avoided (\$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	station. Date expected to be ewater treatment costs)
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	required is v complete wher	vhen respondent be eas the pollutants i	ecame aware of th no longer present	sposal a e violati a threat facility ntering 0.0 0.0	associated with the on and final date is to the optimal funct, item (except for \$0 \$0 \$0 \$0	cleaning of the lift is when cleaning is extending of the waste one-time avoided (\$0.000) \$0.000	station. Date expected to be expected to be expected to be expected treatment costs) \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel rspection/Reporting/Sampling Supplies/equipment	required is v complete wher	vhen respondent be eas the pollutants i	ecame aware of th no longer present	sposal a e violati a threat facility ntering 0.0 0.0 0.0	associated with the on and final date is to the optimal function in the control of the control o	cleaning of the lift is when cleaning is extloning of the waste one-time avoided is \$0 \$0 \$0 \$0	station. Date expected to be ewater treatment costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	required is v complete when	vhen respondent be eas the pollutants i	ecame aware of th no longer present	sposal are violation threat facility intering 0.0 0.0 0.0 0.0 0.0	associated with the on and final date is to the optimal function. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	cleaning of the lift is when cleaning is extending of the waste cone-time avoided in \$0 \$0 \$0 \$0 \$0 \$0	station. Date expected to be exwater treatment costs) \$0 \$0 \$0 \$0 \$0
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 $\{(\mathfrak{B}_{i},g_{i}),(g_{i},g_{i}),(g_{i},g_{i})\} = \{(g_{i},g_{i}),(g_{i},g_{i}),(g_{i},g_{i})\}$

Compliance History

Customer/Respondent/Owner-Operator:

CN600649594

City of Gregory

Classification: AVERAGE

Rating: 7.90

Regulated Entity:

RN101917623

CITY OF GREGORY

Classification: AVERAGE

Site Rating: 7.90

ID Number(s):

WASTEWATER WASTEWATER **PERMIT**

WQ0010092001

PERMIT

TPDES0083062

WASTEWATER

PERMIT

TX0083062

Location:

WASTEWATER LICENSING

LICENSE

WQ0010092001

300 SUNSET at the intersec. of Sunset Rd. and Blackwelder Rating Date: 9/1/2006 Repeat Violator: NO

St., approx. 1/2 mi. NW of the convergence of US Hwy. 181

& State Hwy. 35, San Patricio Co., TX

TCEQ Region:

REGION 14 - CORPUS CHRISTI

Date Compliance History Prepared:

November 21, 2006

Agency Decision Requiring Compliance History:

Enforcement

Compliance Period:

November 21, 2001 to November 21, 2006

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name:

Merrilee G. Hupp

Phone:

512-239-4490

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?

Yes

2. Has there been a (known) change in ownership of the site during the compliance period?

No

3. If Yes, who is the current owner?

N/A N/A

4. if Yes, who was/were the prior owner(s)?

5. When did the change(s) in ownership occur?

N/A

Components (Multimedia) for the Site:

Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A

Effective Date: 10/10/2003

ADMINORDER 2001-0670-MWD-E

Classification: Moderate

Citation:

TWC Chapter 26 26.121

Rgmt Prov: FEL&Mon.Req.PG2 PERMIT

Description: Fail. oper. fac. to maintain compliance w/ permit limits.

Classification: Moderate

Rgmt Prov: M/R Req.7PG5-6 PERMIT

Description: Fail. provide noncompliance notification in writing for effluent violations which deviated from

permitted effluent limits by more than 40%.

Classification: Moderate

Rgmt Prov: Oper/Main.1PG9 PERMIT

Description: Fail. ensure that fac. & all it's systems of collection , treatment & disposal are properly operated

& maintained.

Classification: Moderate

Ramt Prov: O/M 1PG9 PERMIT

Description: Fail. ensure that fac. & all it's systems of collection, treatment & disposal are properly operated

& maintained.

Classification: Minor

Citation:

30 TAC Chapter 319, SubChapter A 319.7(c)

Rqmt Prov: M/R Req. 3PG4-5 PERMIT

Description: Fail. maintain accurate calibration logs w/ all necessary info...

Classification: Minor

Citation:

30 TAC Chapter 319, SubChapter A 319.11(b)

Rqmt Prov: M/R Req. 2PG4 PERMIT

Description: Fail. conduct effluent sampling in accord. w/ 30TAC319.11(B).

Classification: Moderate

Rgmt Prov: FEL Reg. 2 PERMIT

Description: Fail. oper. fac. to maintain compliance w/ permit limits.

Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.11(d)

Rqmt Prov: M/R Req. 5PG5 PERMIT

Description: Fail. annually calibrate all automatic flow measuring and/or recording devices and/or totalizing

meters.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1 N/A	02/16/2006	(476426)
2	03/13/2006	(476427)
3	10/03/2005	(476428)
4	10/17/2005	(476429)
5	11/14/2005	(476430)
6	12/12/2005	(476431)
7	01/26/2006	(476432)
8	02/14/2005	(445227)
9	11/10/2006	(513214)
· 10	03/04/2002	(206201)
11	03/14/2005	(445228)
12	04/11/2005	(445229)
13	02/24/2003	(206202)
14	05/12/2005	(445230)
15	06/21/2005	(445231)
16	08/15/2005	(445232)
17	04/15/2002	(206204)
18	03/20/2003	(206205)
19	11/15/2004	(386656)
20	12/16/2004	(386657)
21	01/18/2005	(386658)
22	06/03/2002	(206207)
23	02/17/2004	(315801)
24	03/18/2004	(315802)
25	06/03/2002	(206209)
26	04/22/2003	(315803)
27	04/12/2004	(315804)
28	06/12/2003	(315805)
29	06/13/2002	(206211)
30	07/02/2003	(315806)
31	07/07/2003	(315807)
32	09/10/2003	(315808)
33	09/19/2003	(315809)
34	07/26/2002	(206213)
35	10/13/2003	(315810)
36	06/11/2003	(33301)
37	11/20/2003	(315811)
38	12/22/2003	(315812)

(315813)

(206215)

(374108)

(206217)

39 01/15/2004

40 08/14/2002 41 04/15/2005

42 09/16/2002

43	10/16/2002	(206219)
44	11/30/2001	(206220)
45	11/21/2002	(206221)
46	12/31/2001	(206222)
47	01/09/2004	(259164)
48	12/19/2002	(206223)
49	02/19/2002	(206224)
50	02/24/2003	(206225)
51	05/18/2004	(360616)
52	06/14/2004	(360617)
53	07/12/2004	(360618)
54	08/19/2004	(360619)
55	09/13/2004	(360620)
56	07/21/2006	(525850)
57	10/11/2004	(360621)
58	08/14/2006	(525851)
59	04/12/2006	(503487)
60	09/18/2006	(525852)

61 05/18/2006

(503488)

62 02/08/2006

(451814)

63 06/26/2006

(503489)

Written notices of violations (NOV). (CCEDS Inv. Track. No.) E.

Date: 01/31/2002

(206201)

Self Report? YES

30 TAC Chapter 305, SubChapter F 305.125(1)

Citation:

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: 06/10/2003

(33301)

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov:

PERMIT IA

Description:

Failure to comply with self - monitored effluent limitations from 03/2002 through

12/2002.

Self Report? NO

Classification: Minor

Classification: Moderate

Ramt Prov:

PERMIT IA

Description:

Failure to provide non-compliance notification for effluent violations.

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 319, SubChapter A 319.6

30 TAC Chapter 319, SubChapter A 319.9(c)

Rqmt Prov:

PERMIT IA

Description:

Failure to perform quality control procedures and maintain calibration logs for

chlorine residual and dissolved oxygen.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 325, SubChapter B 325.106[G]

Ramt Prov:

PERMIT IA

Description:

Failure to employ a domestic wastewater treatment plant operator holding a valid

certificate of competency.

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 30, SubChapter J 30.331(b)

Rqmt Prov:

PERMIT IA

Description:

Failure to provide documentation the facility is operated in a minimum of five days

per week be a licensed chief operator holding the required level of license or

higher.

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(5)

30 TAC Chapter 317 317.4(g)[G]

Rqmt Prov:

PERMIT IA

Failure to maintain the solids concentration in the treatment system due to Description:

inadequate sludge wasting frequency.

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 305, SubChapter F 305.125(5)

Description:

Failure to maintain a gas tight environment due to a hole at the bottom of the

chlorination house.

Self Report? NO

Classification: Minor

Citation:

30 TAC Chapter 317 317.6(b)(1)(D)

Description:

Failure to maintain a self contained breathing apparatus (SCBA) for use by plant

personnel.

Date: 01/31/2003 Self Report? YES

(206202)

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: 03/31/2005

(445229)

(206204)

Self Report? YES

Classification: Moderate

Classification: Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: 02/28/2002

Self Report? YES

Classification: Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: 02/28/2003

Self Report? YES

Classification: Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter $\dot{}$

Date: 03/31/2002

(206207)

Self Report? YES

Classification: Moderate

Classification: Moderate

Citation:

TWC Chapter 26 26.121(a)[G]

Description: Failure to

Date: 04/30/2002

Failure to meet the limit for one or more permit parameter (206209)

Citation:

Self Report? YES

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: 04/30/2005

(445230)

Self Report? YES

Classification: Moderate

Citation:

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: 04/30/2003

* *

Self Report? YES

·e

(315805)

30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Citation:

Failure to meet the limit for one or more permit parameter.

Date: 05/31/2002

(206211)

Self Report? YES

Classification: Moderate

Classification: Moderate

Citation:

.

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: 06/30/2002 (206213)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 07/31/2002 (206215)

Self Report? YES Classification: Moderate

30 TAC Chapter 305, SubChapter F 305.125(1) Citation: TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 08/31/2002 (206217)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G] Description: Failure to meet the limit for one or more permit parameter

Date: 09/30/2002 (206219)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G] Description: Failure to meet the limit for one or more permit parameter

Date: 10/31/2002 (206221)

Classification: Moderate Self Report? YES

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 11/30/2001 (206222)

Citation:

Citation:

Classification: Moderate Self Report? YES

30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 11/30/2002 (206223)

Self Report? YES Classification: Moderate

TWC Chapter 26 26.121(a)[G]

Failure to meet the limit for one or more permit parameter Description:

Date: 12/31/2001 (206224)

Classification: Moderate Self Report? YES

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

(374108)Date: 04/12/2005

Classification: Moderate Self Report? NO

30 TAC Chapter 305, SubChapter F 305.125(5) Citation:

30 TAC Chapter 317 317.3[G]

Rgmt Prov: OP IA

Description: Failure to at all times ensure that the lift stations are properly operated and

maintained.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)

Rqmt Prov: OP IA

Failure to at times ensure that the final clarifiers are properly operated and Description:

maintained. Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 317 317.6(b)(1)(E) Rgmt Prov:

OP IA

Description:

Failure to at all times ensure that the chlorination facilities are properly operated

and maintained.

Citation:

30 TAC Chapter 305, SubChapter F 305.125(5)

OP IA

Description:

Rgmt Prov:

Self Report? NO

Failure to at all times ensure that the facility and all of its systems of collection,

treatment and disposal are properly operated and maintained.

Self Report? NO

Classification: Minor

Classification: Moderate

Citation:

30 TAC Chapter 317 317.7(e)

Description:

Failure to ensure that the entire plant area is completely fenced with lockable gates

at all access points.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

Ramt Prov:

Description:

Failure to ensure that the effluent contains a chlorine residual of at least 1.0 mg/l

and shall not exceed 4.0 mg/l after a detention time of at least 20 minutes based

(based on peak flow).

Self Report? NO

Classification: Minor

Classification: Minor

Citation:

30 TAC Chapter 319, SubChapter A 319.6

30 TAC Chapter 319, SubChapter A 319.9(c)

Description:

Citation:

Failure to assure the quality of all measurements through the use of blanks, standards, duplicate analyses, and spikes utilizing at a minimum, the quality assurance requirements specified in Table 3 in chapter 319.9 of this title (relating

to Self-Monitoring and Quality Assurance Schedules) for pH.

Self Report? NO

30 TAC Chapter 319, SubChapter A 319.6

30 TAC Chapter 319, SubChapter A 319.9(c)

Description:

Failure to assure the quality of all measurements through the use of blanks, standards, duplicate analyses, and spikes utilizing at a minimum, the quality assurance requirements specified in Table 3 in chapter 319.9 of this title (relating

to Self-Monitoring and Quality Assurance Schedules).

Date: 12/31/2002

(206225)

Self Report? YES

Classification: Moderate

Citation:

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 305, SubChapter F 305.125(1)

Date: 07/31/2006

(525851)

Self Report? YES

Classification: Moderate

Citation:

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: 08/31/2006

(525852)

(503488)

Self Report? YES

Classification: Moderate

Citation:

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: 04/30/2006

Self Report? YES

Classification: Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

F Environmental audits.

N/A

G. Type of environmental management systems (EMSs). H. Voluntary on-site compliance assessment dates.

NI/Z

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING CITY OF GREGORY RN101917623

§	BEFORE	THE
2		

§ TEXAS COMMISSION ON

S ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2006-2001-MWD-E

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding City of Gregory ("the City") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the City presented this agreement to the Commission.

The City understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the City agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the City.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

- 1. The City owns and operates a wastewater treatment plant at 300 Sunset at the intersection of Sunset Road and Blackwelder Street, approximately ½ mile northwest of the convergence of United States Highway 181 and State Highway 35 in San Patricio County, Texas (the "Facility").
- 2. The City has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.



- 3. During an investigation on September 20, 2006, TCEQ staff documented the following:
 - a. The housing authority lift station was not intruder-resistant with a controlled access. Additionally, the plant area was not completely fenced by an eight-foot fence with barbed wire and the existing fence was breached on the north side of the Facility;
 - b. Screenings from the bar screen and clarifier were placed in a container without a lid, clarifier effluent weirs were not level or cleaned to prevent obstruction or uneven flow, partially treated wastewater was allowed to remain in the off-line clarifier, the V-notch weir had a rust hole which was allowing flow to bypass its measurement, sludge was rising/bulking in the clarifier indicating its poor quality, and abandoned vehicles, large brush piles, and overgrown grass were on the Facility grounds.
 - c. The pH meter was being calibrated with only one standard for the samples being analyzed and a manganese correction was not being performed on chlorine residual samples being analyzed;
 - d. The City self-reported a minimum 2.5 milligram per liter ("mg/L") dissolved oxygen ("DO") level in April 2006, a pH of 5.4 in August 2006, and the TCEQ investigator's grab sample revealed a 0.76 mg/L chlorine residual; and
 - e. A large amount of oily water had been discharged into the collection system at the Fab-Con lift station and oily residue was observed coating the interior of the lift station wet well.
- 4. The City received notice of the violations on November 15, 2006.
- 5. The Executive Director recognizes that by November 30, 2006, the City has implemented the following corrective measures at the Facility:
 - a. Began utilizing new plastic containers with lids for the disposal of the screenings from the bar screen and clarifier;
 - b. Began checking chlorine residuals every three hours, increased the monitoring of the influent pH, and had reinstalled the rotor which had been repaired;
 - c. Repaired the pinhole leak in the V-notch weir and repaired the fence surrounding the Facility;
 - d. Returned to a regular schedule of drawing sludge every seven to ten days to improve the solids levels and quality at the Facility; and
 - e. Began properly calibrating the pH meter for the samples and began performing a manganese correction on chlorine residual samples.

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II. CONCLUSIONS OF LAW

- 1. The City is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE chs. 7 and 26 and the rules of the Commission.
- 2. As evidenced by Findings of Fact No. 3.a, the City failed to ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, as documented during the September 20, 2006 investigation, in violation of 30 Tex. ADMIN. CODE §§ 305.125(5), 317.3(a), 317.7(e) and Texas Pollutant Discharge Elimination System ("TPDES") No. WQ0010092001, Operational Requirements No. 1.
- 3. As evidenced by Findings of Fact No. 3.b, the City failed to ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, as documented during the September 20, 2006 investigation, in violation of 30 Tex. ADMIN. CODE §§ 305.125(5), 317.4(b)(4), and TPDES No. WQ0010092001, Operational Requirements No. 1.
- 4. As evidenced by Findings of Fact No. 3.c, the City failed to properly calibrate the pH meter for the samples analyzed and failed to perform a manganese correction on chlorine residual samples, in violation of 30 Tex. ADMIN. CODE §§ 319.6, 319.9(c), and 319.11(c), and TPDES Permit No. WQ0010092001, Monitoring and Reporting Requirements, No. 2.
- 5. As evidenced by Findings of Fact No. 3.d, the City failed to comply with minimum permitted effluent limitations of 4.0 mg/L DO, 6.0 pH, and 1.0 mg/L chlorine residual, in violation of 30 Tex. Admin. Code § 305.125(1), Tex. Water Code § 26.121, and TPDES Permit No. WQ0010092001, Final Effluent Limitations and Monitoring Requirements Nos. 2, 3, and 6.
- 6. As evidenced by Findings of Fact No. 3.e, the City failed to prevent petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin from being introduced into the treatment facility, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and TPDES Permit No. WQ0010092001, Contributing Industries and Pretreatment Requirements No. 1.f.
- 7. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the City for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
- 8. An administrative penalty in the amount of Twelve Thousand Two Hundred Fifty Dollars (\$12,250) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in Tex. Water Code § 7.053. The City has paid Two Thousand Forty-Five Dollars (\$2,045) of the administrative penalty. The remaining amount of Ten Thousand Two Hundred Five Dollars (\$10,205) of the administrative penalty shall be payable in five monthly payments of Two Thousand Forty-One Dollars (\$2,041) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the City fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become

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immediately due and payable without demand or notice. In addition, the failure of the City to meet the payment schedule of this Agreed Order constitutes the failure by the City to timely and satisfactorily comply with all the terms of this Agreed Order.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The City is assessed an administrative penalty in the amount of Twelve Thousand Two Hundred Fifty Dollars (\$12,250) as set forth in Section II, Paragraph 8 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the City's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Gregory, Docket No. 2006-2001-MWD-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The City shall undertake the following technical requirements:
 - a. Within 60 days after the effective date of this Agreed Order, ensure that lift stations and treatment units at the Facility are properly operated and maintained, which shall include installing and maintaining intact and intruder resistent fencing around each lift station, cleaning and maintaining all weirs to ensure optimal functioning and even flow, and maintaining Facility grounds, disposing of waste at authorized sites so that each treatment unit is within view and easily accessible at all times to authorized personnel only, pursuant to 30 Tex. ADMIN. Code §§ 305.125(5), 317.3(a), 317.7(e) and TPDES No. WQ0010092001, Operational Requirements No. 1. A daily log book documenting operations and maintenance activities shall be maintained for a period of three (3) years and shall be made available to TCEQ staff upon request;
 - b. Within 60 days, after the effective date of this Agreed Order, develop and implement a program to check each lift station to prevent petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin as well as other pollutants from being introduced into the treatment facility, as required by TPDES Permit No. WQ0010092001, Contributing Industries and Pretreatment Requirements. The program shall also include descriptions of corrective actions to be taken if such pollutants have entered any of the lift stations, including proper handling procedures and disposal methods. This description shall include how the oil-contaminated wastewater was removed and disposed of from the collection system at the Fab-Con Lift Station and how the oily residue was removed from the interior of the lift station wet well to prevent Interference or Pass Through.

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Documentation of the program's implementation shall be maintained at the Facility and shall be made available to TCEQ staff upon request;

- c. Within 60 days after the effective date of this Agreed Order, return to compliance with the effluent limits of TPDES Permit No. WQ0010092001; and
- d. Within 75 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a, b, and c. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section, Manager Corpus Christi Regional Office Texas Commission on Environmental Quality 6300 Ocean Drive, Suite 1200 Corpus Christi, Texas 78412-5503

- 3. The provisions of this Agreed Order shall apply to and be binding upon the City. The City is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. If the City fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the City's failure to comply is not a violation of this Agreed Order. The City shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The City shall notify the Executive Director within seven days after the City becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

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- 5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the City shall be made in writing to the Executive Director. Extensions are not effective until the City receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the City if the Executive Director determines that the City has not complied with one or more of the terms or conditions in this Agreed Order.
- 7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 8. This Agreed Order, issued by the Commission, shall not be admissible against the City in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 9. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 Tex. ADMIN. CODE § 70.10(b) and Tex. Gov't Code § 2001.142.

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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

I, the undersigned, have read and understand the attached Agreed Order in the mi ter of the City of Gregory I am authorized to agree to the attached Agreed Order on behalf of the City of Gregory, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, the City of Gregory waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by his Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to apliest. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order const sutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

A negative impact on my compliance history;

Greater strutiny of any permit applications submitted by me;

Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;

Increased penalties in any future enforcement actions against me;

Automatic referral to the Attorney General's Office of any future enforcement; ctions against me,

TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Name (Printed or typed)

Authorized Representative of City of Grenory

Instructions: Send the original signed Agreed Order with populty payment to the Financial Auministratio. Division, Revenues Section at the sciences in Section IV, Paragraph & offine Agreed Order.